



PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission

Application Number	10/821,823
Filing Date	04-09-2004
First Named Inventor	David Louis Kirschman
Art Unit	3732
Examiner Name	David Louis Kirschman
Attorney Docket Number	KRS 002 P2

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form
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Remarks

Response to Office Action mailed September 7, 2005

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

JACOX, MECKSTROTH & JENKINS

Signature

Printed name

MATTHEW R. JENKINS

Date

10-6-2005

Reg. No.

34,844

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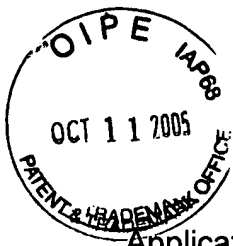
Rebecca Lantis

Date

10-6-2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Inventor(s) : David Louis Kirschman
Serial No. : 10/821,823
Filed : April 9, 2004
Title: DISK AUGMENTATION
SYSTEM AND METHOD
Group : 3732
Examiner : David C. Comstock
Docket : KRS 002 P2

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Rebecca Lantis	
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Sir:

RESPONSE TO OFFICE ACTION

Responsive to the Office Action mailed September 7, 2005, in the above-identified application, Applicant elects to prosecute Species I containing Figs. 4 – 7 and 10 relating to claims 1 – 22, 26 - 61, 63 – 94, and 98 – 99. It is respectfully requested that the non-elected claims be held in abeyance pending the filing of a divisional application or the allowance of the elected claims.

The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to **Deposit Account No. 50-1287**. Applicants hereby provide a general request for any extension of time which may be required at any time during the prosecution of the application. The Commissioner is also authorized to charge any fees which have not been previously paid for by check and which are required during the prosecution of this application to **Deposit Account No. 50-1287**. (Should Deposit Account No. 50-1287

be deficient, please charge any further deficiencies to Deposit Account No. 10-0220.)

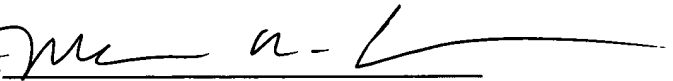
Serial No. 10/821,823
Response to Office Action of September 7, 2005
Examiner: David C. Comstock
Docket: KRS 002 P2

If the Examiner has any questions regarding this election, he is invited to
telephone the undersigned attorney.

Favorable action on the merits of the application is respectfully requested.

Respectfully submitted,

JACOX, MECKSTROTH & JENKINS

By: 
Matthew R. Jenkins
Reg. No. 34,844

MRJ:rl
2310 Far Hills Building
Dayton, OH 45419-1575
(937)298-2811

October 6, 2005